

**UNREDACTED VERSION OF  
DOCUMENT SOUGHT TO BE  
SEALED**

**EXHIBIT 11**

CONFIDENTIAL

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
3

4 KELLY WILSON, an individual,  
5 Plaintiff,

6 vs.

No. 3:14-CV-01441-VC

7 THE WALT DISNEY COMPANY, a Delaware  
corporation; DISNEY ENTERPRISES, INC.,  
8 a Delaware corporation; WALT DISNEY  
PICTURES, a California corporation;  
9 WALT DISNEY MOTION PICTURES GROUP,  
INC., a California corporation; and  
10 DOES 1 through 25, inclusive,  
11 Defendants.  
12  
13

---

14  
15 CONFIDENTIAL

16  
17 DEPOSITION of MATT ROBERTS  
18 BURBANK, CALIFORNIA  
19 MONDAY, NOVEMBER 17, 2014  
20 VOLUME 1  
21  
22

23 Reported by

Daryl Baucum, RPR, CRR, RMR, CSR No. 10356

24 Job No. 1964975

25 PAGES 1 - 187

CONFIDENTIAL

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
3

4 KELLY WILSON, an individual,  
5 Plaintiff,

6 vs.

No. 3:14-CV-01441-VC

7 THE WALT DISNEY COMPANY, a Delaware  
corporation; DISNEY ENTERPRISES, INC.,  
8 a Delaware corporation; WALT DISNEY  
PICTURES, a California corporation;  
9 WALT DISNEY MOTION PICTURES GROUP,  
INC., a California corporation; and  
10 DOES 1 through 25, inclusive,  
11 Defendants.  
12

---

13  
14  
15  
16 DEPOSITION of MATT ROBERTS, at 500 South Buena  
17 Vista Street, Burbank, California, beginning at  
18 1:03 p.m., and ending at 5:48 p.m., on Monday,  
19 November 17, 2014, before Daryl Baucum, RPR,  
20 CRR, RMR, CSR No. 10356.  
21  
22  
23  
24  
25

CONFIDENTIAL

1 MS. COX: Objection; calls for speculation,  
2 vague and ambiguous.

3 THE WITNESS: You would have to get more  
4 specific in your question.

5 BY MS. BARTEAU:

6 Q. So when you're -- let's say you are hiring --  
7 do you ever hire animators just for general Animation  
8 Department, not for a specific film or project?

9 MS. COX: Objection; vague and ambiguous as to  
10 time.

11 THE WITNESS: If we're talking animation  
12 specifically, occasionally, but not that often.

13 BY MS. BARTEAU:

14 Q. So you are usually hiring animators for a  
15 specific project; is that correct?

16 A. Correct.

17 Q. And so on -- let's take a project such as  
18 "Frozen."

19 Did you hire any animators who worked on the  
20 movie "Frozen"?

21 A. Yes.

22 Q. And who were the hiring managers who oversaw  
23 the hiring of those animators?

24 MS. COX: Objection; foundation, calls for  
25 speculation.

CONFIDENTIAL

1 THE WITNESS: I am not sure I understand the  
2 question.

3 BY MS. BARTEAU:

4 Q. How many animators did you hire who worked on  
5 "Frozen"?

6 A. I don't know offhand. I think it was somewhere  
7 in the vicinity of maybe 15, 15 to 20 animators, hired  
8 specifically on to that show.

9 Q. And what was the time period when those  
10 animators were hired?

11 A. We hired the animators October of 2012 through,  
12 I believe, April of 2013.

13 Q. And did you hire animators who worked on the  
14 "Frozen" teaser trailer?

15 A. I don't know.

16 Q. To your knowledge, is there any animator who  
17 would have worked on the "Frozen" teaser trailer that  
18 didn't work on the movie "Frozen"?

19 MS. COX: Objection; foundation, calls for  
20 speculation.

21 THE WITNESS: I am not sure exactly what you  
22 are asking. Sorry.

23 BY MS. BARTEAU:

24 Q. So as far as you know, there were no animators  
25 hired specifically for the trailer; is that right?

CONFIDENTIAL

1 MS. COX: Objection; misstates testimony.

2 THE WITNESS: I only hired animators onto the  
3 film "Frozen."

4 BY MS. BARTEAU:

5 Q. And who were the hiring managers for those  
6 animators that you hired?

7 MS. COX: Objection; vague and ambiguous  
8 foundation.

9 BY MS. BARTEAU:

10 Q. Do you know what I am asking?

11 A. I do.

12 It would have been the department leadership  
13 for animation as well as the supervising animators  
14 particular to the film of "Frozen."

15 Q. And do you remember who all of those people  
16 were?

17 A. I do.

18 Q. Can you, please, tell me.

19 A. Lino Di Salvo, Wayne Unten, Becky Bresee, Hiram  
20 Osmond. Renato Dos Anjos would have been part of that.  
21 Again, I think Amy -- not Amy Smeed at that time --  
22 Patrick Osborne. For specifically the animators, that  
23 is everyone I can think of off the top of my head.

24 Q. And do all of those individuals that you just  
25 named, do they have the same job title?

CONFIDENTIAL

1 MS. COX: Objection; foundation, calls for  
2 speculation, ambiguous as to time.

3 BY MS. BARTEAU:

4 Q. Do you know the job titles of the people that  
5 you just mentioned?

6 MS. COX: Objection; foundation, calls for  
7 speculation as to time.

8 THE WITNESS: Yes.

9 BY MS. BARTEAU:

10 Q. Can you tell me their job titles, please.

11 A. Lino Di Salvo was the Head of Animation for  
12 "Frozen" and he is also a Studio Department Leader.  
13 Patrick Osborne would have just been Studio Department  
14 Leader. And at the time, everyone else would have been  
15 considered a supervising animator.

16 Q. What does it mean to be a "Studio Department  
17 Leader"?

18 MS. COX: Objection. This is far outside the  
19 scope of the 30(b)(6) topics, also lacks foundation,  
20 also calls for speculation.

21 BY MS. BARTEAU:

22 Q. Do you know what it means to be a "Studio  
23 Department Leader"?

24 A. I do.

25 Q. What does it mean?

CONFIDENTIAL

1 Q. And under what circumstances would you destroy  
2 documents?

3 MS. COX: Objection; misstates testimony. I  
4 believe that the phrase Mr. Roberts used was  
5 "recycling."

6 THE WITNESS: Can you be more specific. Sorry.  
7 BY MS. BARTEAU:

8 Q. When would you destroy or recycle documents?

9 A. After a particular position has been filled or  
10 if there just isn't any need for the application.

11 Q. Is there a record kept of what documents are  
12 destroyed?

13 MS. COX: Objection; misstates prior testimony.

14 THE WITNESS: Not to my recollection.

15 BY MS. BARTEAU:

16 Q. To your knowledge, does Disney have a -- by  
17 "Disney," I mean the company you are here  
18 representing -- have a document retention policy?

19 A. I don't know of a formal retention.

20 Q. Do you know of an informal retention policy?

21 A. For my own practices at the time, like I said,  
22 we would hold onto the hard -- the hard files through  
23 when a position was filled that the materials were  
24 submitted for.

25 Q. And does -- before documents are destroyed,



CONFIDENTIAL

1 does it need to be approved by somebody in the  
2 department?

3 MS. COX: Objection; vague and ambiguous,  
4 misstates prior testimony. I believe Mr. Roberts used  
5 the phrase "recycling" as to what he does with  
6 documents.

7 MS. BARTEAU: Well, I believe that Mr. Roberts  
8 testified that when -- what he means by "recycled" is  
9 that they're sent to Iron Mountain and destroyed.

10 BY MS. BARTEAU:

11 Q. Is that correct?

12 A. When they are recycled, correct.

13 Q. So I think we can use "recycled" and  
14 "destroyed" interchangeably the way you are using  
15 "recycled."

16 Would you agree with that?

17 MS. COX: I would object to the extent that  
18 Mr. Roberts is personally sending documents as Iron  
19 Mountain and that action is refer to as "recycling," I  
20 believe, within the animation studios.

21 You can correct me if I am wrong.

22 THE WITNESS: Yeah, to my knowledge, I think  
23 the materials get shredded, but I don't know  
24 specifically what happens at Iron Mountain. I just know  
25 that is our secure recycling plant that we send

CONFIDENTIAL

1 department.

2 Q. Based on your recollection, what is the lowest  
3 number of hiring managers that have reviewed an  
4 applicant?

5 A. I would say maybe between five and ten.

6 Q. And so is ten the highest number of hiring  
7 managers that you recall ever being assigned to a  
8 candidate?

9 A. I would say in that range.

10 Could we also take a bathroom break in the next  
11 couple of questions.

12 Q. Absolutely. Why don't we break right now.

13 (Off the record.)

14 BY MS. BARTEAU:

15 Q. Let's go back to who you're here appearing on  
16 behalf of, which Disney entity.

17 In the 30(b)(6) notice of deposition, do you  
18 know which of the four Disney entities you are here  
19 representing today?

20 A. It would be Walt Disney Pictures and Walt  
21 Disney Animation Studios within that.

22 Q. You testified that in reviewing an application  
23 that includes something like original artwork or  
24 original animation, you would bring in -- I believe the  
25 term is an SDL, Studio --

CONFIDENTIAL

1 A. Studio Department Leader.

2 Q. To review that creative material; is that  
3 correct?

4 A. Correct.

5 Q. And has John Lassiter ever served as an SDL  
6 since you have been a recruiter?

7 A. No.

8 Q. How about Mike Giamo?

9 A. Not as an SDL but he has reviewed submissions  
10 in the past.

11 Q. If not as an SDL, in what capacity has he  
12 reviewed submissions?

13 A. Hiring manager.

14 Q. Has John Lassiter ever reviewed remissions in  
15 any capacity since you have been a recruiter?

16 MS. COX: Objection; foundation, calls for  
17 speculation.

18 BY MS. BARTEAU:

19 Q. To your knowledge.

20 A. Not for our studio.

21 Q. For what studio? Do you know?

22 MS. COX: Objection; foundation, calls for  
23 speculation.

24 THE WITNESS: No. Again, I only speak for Walt  
25 Disney Animation. He has never reviewed anything for

CONFIDENTIAL

1 work is only being reviewed for the merit of their  
2 skills, nothing more.

3 Q. If you received original artwork from an  
4 applicant, what is your procedure for protecting it from  
5 being used for purposes other than evaluating an  
6 application?

7 MS. COX: Objection; vague and ambiguous as to  
8 the method of receipt and as to the specific instance.

9 THE WITNESS: Could you rephrase.

10 BY MS. BARTEAU:

11 Q. Sure.

12 If you receive an artistic submission with an  
13 application, what is your procedure for protecting the  
14 artistic submission from being used for any purpose  
15 other than evaluating that application?

16 A. Really, there is no formal process just because  
17 to my knowledge, I have never seen a reviewer evaluate  
18 someone's work other than for the merit of their skills  
19 for a role.

20 Q. In your review of an application, do you ever  
21 recommend that applicants get further experience or  
22 training and then offer them suggestions as to how to  
23 get that further experience or training?

24 A. Yes.

25 Q. And what sort of suggestions do you or have you

CONFIDENTIAL

1 A. It's possible.

2 Q. Is there any reason you took a screen shot  
3 instead of just printing out the document?

4 MS. COX: Objection to the extent that it calls  
5 for attorney-client communications, relevance.

6 BY MS. BARTEAU:

7 Q. Outside of advice from your attorney, is there  
8 any reason that you just took a screen shot instead of  
9 printing the document?

10 A. Just because it was just this is the direct  
11 process for other reviews for when a candidate applies.  
12 So we felt this was the most relevant.

13 Q. Do you know who wrote this document?

14 A. I believe it was Camile Eden. I could be  
15 mistaken, though.

16 Q. Do you know when these procedures were -- went  
17 into place?

18 A. They have been in place since I have been a  
19 recruiter. This is just the formal writeup of it.

20 Q. Was there -- do you know when this formal  
21 writeup was written?

22 A. Within the last couple of years.

23 Q. So before the last couple of years, was there  
24 anything in writing regarding policies or steps in the  
25 recruitment process?

CONFIDENTIAL

1 A. No.

2 Q. So what else is contained in this document that  
3 wasn't -- is not shown in the screen right here?

4 MS. COX: Object to the extent that not the  
5 full production is being shown on Exhibit 95 in any  
6 event.

7 THE WITNESS: Basically, we didn't show  
8 anything else because it's so far outside of the  
9 relevancy of this deposition, that we didn't feel it was  
10 necessary to be submitted.

11 BY MS. BARTEAU:

12 Q. So what is not relevant? I mean what else is  
13 contained in the document?

14 MS. COX: Objection to the extent that, first  
15 of all, this is not the full production of the document  
16 that was produced to the plaintiff. And object to the  
17 extent that it calls for attorney-client communications.

18 MS. BARTEAU: So are you claiming privilege  
19 over the rest of this document?

20 MS. COX: I am referring to the fact that this  
21 single screen shot is not the full production of the  
22 document. So to the extent that it's been represented  
23 on the record this is the entirety of the production of  
24 this particular document, it's not. I don't want it to  
25 be unclear from the record.

CONFIDENTIAL

1 documented whether or not that has been done?

2 A. Correct.

3 Q. And would that be in that same candidate  
4 profile?

5 A. Correct.

6 Q. And would it show exactly who the SDL was who  
7 reviewed the submission?

8 A. Correct.

9 Q. Would it also document whether an artistic  
10 manager, for instance, was present at the review of the  
11 artistic submission?

12 A. No.

13 Q. So it documents -- so it doesn't actually  
14 document exactly everybody who has been exposed to that  
15 artistic submission; is that correct?

16 A. Correct.

17 Q. And then I think you mentioned that the SDL's  
18 document, meaning make a record, of their review right  
19 into that candidate's profile; is that right? So that  
20 would indicate that they have reviewed the artistic  
21 submission?

22 A. Correct.

23 Q. And when you receive a resume with a link or  
24 reference to a website, is it your policy in reviewing  
25 somebody's application to visit their website?

CONFIDENTIAL

1 A. Correct.

2 Q. And is that a written policy or is that just  
3 your policy?

4 A. Really, if you are going to assess a candidate,  
5 you have to look at their work to do so. So if all of  
6 they have given is a website, then you really have to go  
7 to the website to look at the work.

8 Q. Would that be documented in the candidate's  
9 profile, whether or not their website was visited?

10 A. Not formally.

11 Q. Is there any way to tell based on records  
12 whether or not a candidate's website was visited?

13 A. If all they have given is a website and there  
14 is an assessment, it's safe to say that the recruiter or  
15 the hiring manager looked at that website.

16 Q. And would it be safe to say that for the  
17 recruiter who was working in 2008, do you think the  
18 policy would have been the same?

19 A. Yes.

20 Q. And 2009, same policy?

21 A. Correct.

22 Q. 2010, same policy?

23 A. Yes.

24 Q. This has previously been marked as Exhibit 36.  
25 (Plaintiff's Exhibit 36, having been